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MAY 17 2004
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CERTIFICATE OF TRANSMISSION

May 17, 2004

Atty Docket No. :	JCLA8091
Appl. No. :	09/974,593
Filing Date :	October, 09, 2001
Pages :	Cover + 10

BY FACSIMILE ONLY

Fax No. :	703-872-9306
Attention :	EXAMINER : MILLER, BRIAN E. Commissioner for Patents
Group Unit :	2652
From :	Jiawei Huang, Reg. No. 43,330
MESSAGE :	Enclosed herewith are: <input checked="" type="checkbox"/> Translation of Examination Report of SIPO in 2 pages. <input checked="" type="checkbox"/> Amendment in 8 pages.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on May 17, 2004 at the above indicated fax number.

Sign by: M. Chang
Michelle Chang

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For Application No. 09/974,593

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Translation of Examination Report of SIPO, dated 9/19/2003

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This application relates to a recording medium loading apparatus, and the comments thereon are as follows.

1. The independent claim 4, compared with claim 1, does not have the same or related technical features and does not belong to the same general inventive concept. Thus, the claim 4 does not comply with the unity requirement under the Patent Law, article 31, paragraph 1.
2. The independent claim 1 recites a recording medium loading apparatus, while EP 0836184 A2 (prior art document 1) taught also a recording medium loading apparatus and disclosed the following technical features (specification, col. 5, lines 31-38, and col. 8, line 41 through col. 9, line 3; Figs. 18-20): A disc loading apparatus, comprising disc holding members, 23L and 23R, to hold both side of the disc and load it, and the loading plate for conveying the held disc to the desired position, wherein, the holding members, installed on carriers 26L and 26R, comprise an upper holder 125 (corresponding to the fixed portion) including an elastic supporting unit 127 with an elastic supporting slice 128, wherein, when the disc reaches into the holding members, the elastic supporting slice 128 contacts with the outer circumference of the disc. It is indicated that the prior art document 1 disclosed all technical features of the independent claim 1, and relates to the same technical field and is for obtaining the same technical results. Therefore, the claim

- 1 does not comply with the novelty requirement under the Patent Law, article 22, paragraph 2.
3. The supplemental technical features recited in the dependent claim 2 have been disclosed in prior art document 1 (see: specification, col. 9, line 25-34). Therefore, the claim 2 does not comply with the novelty requirement under the Patent Law, article 22, paragraph 2.
4. The supplemental technical features recited in the dependent claim 3 have been disclosed in prior art document 1 (see: specification, col. 5, line 42, and col. 7, lines 29-34; Fig. 10). Therefore, the claim 3 does not comply with the novelty requirement under the Patent Law, article 22, paragraph 2.

In view of the above, this application is not patentable, and, if the applicant fails to present persuasive arguments within the time limit as provided in this communication, this application will be denied.

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MAY 17 2004

Application No.: 09/974,593

Docket No.: JCLA8091

OFFICIAL**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:)
Kabasawa) Examiner : Brian E. Miller
Serial No. : 09/974,593) Art Unit : 2652
Filed : 10/09/2001) Docket No. : JCLA8091
For : RECORDING MEDIUM)
LOADING APPARATUS)

No fee is believed to be due. However, the Commissioner is authorized to charge any fees required in connection with the filing of this paper to account No. 50-0710 (Order No. JCLA8091).

AMENDMENTS AND RESPONSE TO OFFICE ACTION

BOX Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In reply to the Office Action dated February 23, 2004, Applicant submits the following
Amendments and Remarks.